



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/584,232	05/31/2000	Daniel J. Greden	MCS-119-99	2434

27662 7590 04/09/2003

LYON & HARR, LLP  
300 ESPLANADE DRIVE, SUITE 800  
OXNARD, CA 93036

EXAMINER

RHODE JR, ROBERT E

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/584,232

Applicant(s)

GREDEN ET AL.

Examiner

Rob Rhode

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 19 is objected to because of the following informalities: Claim 19 refers to claim 1 as a computer system, whereas claim 1 is a method claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raveis, Jr (US Patent 6,321,202 B1) in view of Kramer et al (US Patent 6,327,574 B1), and further in view of Williams, Jr (US Patent 6,108,686).**

Regarding Claim 1 and related claims 10 and 20, the combination of Raveis, Kramer and Williams disclose and teach a computer implemented method and system for finding a prospective buyer and providing the buyer to agents offering for sale at least one of products or services, the method comprising where -

Raveis teaches providing the buyer with an interactive environment having information relating to the products or services offered by the agents (Col 3, lines 41 – 45 and Figures 1 and 10). In addition;

regarding claim 2 and related claims 11 and 21, Raveis teaches a computer implemented method and system, wherein the interactive environment includes allowing the buyer to graphically interact with information relating to the products or services (Col 3, lines 41 – 45 and Figure 1).

regarding claim 3 and related claims 13 and 23 Raveis teaches a computer implemented method and system, wherein the buyer selects information relating to the products or services (Col 3, lines 41 – 45 and Figures 1 and 10).

regarding claim 5 and related claims 15 and 24, Raveis teaches a computer implemented method and system, wherein the interactive environment includes providing an interactive questionnaire to the buyer (Col 3, lines 45 – 48 and Col 14, lines 8 – 16).

regarding claim 6 and related claim 16, Raveis teaches a computer implemented, wherein the method and system operates on a computer-readable medium having computer-executable instructions for finding a prospective buyer and providing the

Art Unit: 3625

buyer to an agent offering for sale at least one of products or services (Col 8, lines 38 – 54 and Figures 1 and 2).

regarding claim 8 and related claim 18, Raveis teaches a computer implemented method and system, further comprising providing agents access to the database to allow the agents to locate specific buyers based on criteria defined by the agents Col 8, lines 38 – 57).

However, Raveis does not specifically disclose and teach creating a profile of the buyer by inferring criteria desired by the buyer based on the buyer's interaction with the interactive environment.

On the other hand, Kramer does disclose and teach creating a profile of the buyer by inferring criteria desired by the buyer based on the buyer's interaction with the interactive environment (Abstract, Col 1, lines 58 – 60 and Col 3, lines 10 – 14). In addition;

regarding claim 4 and related claims 12, 14 and 22, Kramer teaches a computer implemented method and system, wherein the profile is created based on the selections made by the buyer during interaction with the interactive environment (Col 3, lines 10 – 14).

regarding claim 7, Kramer teaches a computer implemented method and system further comprising creating a database of buyer profiles and defining groups of specific criteria for specific buyers (Col 1, lines 40 – 43, Col 2, lines 16 – 18 and Figures 7, 8 and 10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combined the method and system of Raveis with the method and system of Kramer to enable a computer implemented method and system for finding a prospective buyer and providing the buyer to agents offering for sale at least one of products or services – in order to provide the buyer with an interactive environment having information relating to the products or services offered by the agents and creating a profile of the buyer by inferring criteria desired by the buyer based on the buyer's interaction with the interactive environment. In that regard, the interactive site method and system will provide tailored responses from the most appropriate sales agent - based on the buyer's preference obtained from browsing the site as well as from filling out a questionnaire. Moreover, the tailoring of the information will be specific to each buyer's needs and thereby increase their satisfaction as well as increase the probability they will recommend the site to others too.

The combination of Raveis and Kramer disclose and teach a computer implemented method and system for finding a prospective buyer and providing the buyer to agents offering for sale at least one of products or services, in order to provide the buyer with an interactive environment having information relating to the products or services

Art Unit: 3625

offered by the agents and creating a profile of the buyer by inferring criteria desired by the buyer based on the buyer's interaction with the interactive environment

However, the combination of Raveis and Kramer does not specifically disclose and teach a computer implemented method and system which compares the profile and the inferred criteria with criteria of the products or services offered by the agents to match a suitable agent with a suitable buyer based on the created profile of the buyer.

On the other hand, Williams discloses and teaches a method and system which compares the profile and the inferred criteria with criteria of the products or services offered by the agents to match a suitable agent with a suitable buyer based on the created profile of the buyer (Col 3, lines 1 – 34 and Figures 4 – 6). In addition;

regarding claim 9, Williams teaches a computer implemented, wherein comparing the profile and the inferred criteria with criteria of the products or services includes matching specific products or services of the agents that the buyer has a potential interest in based on the generated profile of the buyer (Col 5, lines 49 – 60).

regarding claim 17, Williams teaches a computer system, wherein the comparator creates a database of buyer profiles and defines groups of specific criteria for specific buyers (Col 2, lines 9 - 24 and Figures 3, 4 and 5).

Art Unit: 3625

regarding claim 19, Williams teaches a computer system, wherein the comparator compares the profile and the inferred criteria with criteria of the products or services by matching specific products or services of the agents that the buyer has a potential interest in based on the created profile of the buyer (Col 5, lines 49 – 61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Raveis and Kramer with the method and system of Williams to enable the ability for the computer implemented method and system to compare the profile and the inferred criteria with criteria of the products or services offered by the agents to match a suitable agent with a suitable buyer based on the created profile of the buyer – in order to enable the ability of the method and system to automatically search and match agent specific criteria with appropriate buyers who fit their specific criteria such as buyers who can only afford homes in excess of 1 million dollars. In that regard, the agent is match most closely with appropriate buyer and thereby ensuring that the buyer will have supporting them an agent who is most appropriate, which will also significantly improve the buyer's satisfaction.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art is Rizzo et al (US Patent 6,470,338 B1) and



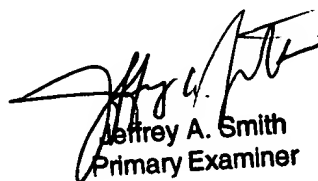
Art Unit: 3625

Mosquera et al (US Patent 6,505,202 B1), which address buyer profiles as well as comparing profiles of buyers and matching to an appropriate agent.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Rhode whose telephone number is 703.305.8230. The examiner can normally be reached on M-F 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703.308.1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703.305.7658 for regular communications and 703.308.3687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.1113.



Jeffrey A. Smith  
Primary Examiner

RER

March 11, 2003